

**Public Works, Capital Projects & Transportation Committee
Regular Meeting Minutes**

DATE & TIME: September 15, 2023 – 12:00 PM
LOCATION: KL Binder Library, 6th Floor, County Office Building, Kingston
PRESIDING OFFICER: Chair Laura Petit
LEGISLATIVE STAFF: Michael Tierney, Senior Legislative Employee
PRESENT: Legislators Erner, Litts, Nolan
ABSENT: Legislator Fabiano
QUORUM PRESENT: Yes

OTHER ATTENDEES: Deputy County Executive Amanda LaValle, UCAT Director Toni Roser, DPW Director Brendan Masterson, DPW Deputy Director Robert Parete, Rokosz Most, Keith Gurgui, Barbara Budick

Chair Petit called the meeting to order at 12:00PM.

Chair Petit recognized Keith Gurgui of Resource Center for Accessible Living (RCAL) to provide RCAL's position on Resolution No. 464

Motion No. 1 **Moved to Adopt Minutes of the August 7, 2023 Meeting**
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: Corrected a typo.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Minutes APPROVED**

Resolutions for the September 19, 2023 Session of the Legislature:

Resolution No. 337 Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The City Of Kingston, Where The County Is A Subrecipient Of The City's ARPA-SLFRF Funds, For The Renovation Of Elizabeth Manor, Department Of Finance, Division Of Recovery And Resilience

Resolution Summary Accepting \$500,000 from the City of Kingston for the renovation of 21 Elizabeth Street

Motion No. 2 **Moved Resolution for POSTPONEMENT**
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: The County Executive's Office requested that the Resolution be postponed. Hearing no further discussion, Chair Petit called the question.

Voting in Favor: Legislators Litts, Nolan, Petit
Voting Against: Legislator Erner
Votes in Favor: 3
Votes Against: 1
Disposition: **Resolution POSTPONED**

Resolution No. 473 Approving Changes Of A Subordination Mortgage To A Restrictive Covenant – Silver Gardens Senior Housing Development – ARPA - Department Of Finance, Division Of Recovery And Resilience

Resolution Summary

Motion No. 3 **Moved Resolution for DISCUSSION**
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: Legislator Litts asked if the recapture agreement had been approved by counsel and did not want to move forward unless it was. Hearing no further discussion Chair Petit called the question in favor of the Resolution.

Voting in Favor: Legislators Erner, Nolan, Petit
Voting Against: Legislator Litts
Votes in Favor: 3
Votes Against: 1
Disposition: **Resolution ADOPTED**

Resolution No. 480 Amending The 2023 - 2027 Capital Improvement Program – Establishing Capital Project No. 677 Golden Hill Transportation Improvements – Amending The 2023 Capital Fund Budget – Department Of Planning

Resolution Summary Engineering for signal on State Route 32 as part of the Golden Hill Development Project

Motion No. 4 **Moved Resolution for DISCUSSION**
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None. Hearing none, Chair Petit called the question.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 483 Approving The Execution Of A Contract For \$78,188.00 Entered Into By The County – Transpo Group USA, Inc. – Department Of Planning

Resolution Summary Contract for the Coordinated Human Services Public Transit Transportation Plan.

Motion No. 5
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: Legislator Litts stated that this study was needed and its completion would better inform policy decisions related to public transportation in the County, and that the Committee should not be moving ahead with policy directives prior to the study. Legislator Erner stated that these types of studies have been conducted in prior years and that the recommendations have not always been implemented. Hearing no further discussion, Chair Petit called the question in favor of the Resolution.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 484 Approving The Execution Of A Contract For \$172,243.56 Entered Into By The County – Foursquare Integrated Transportation Planning, Inc. – Department Of Planning

Resolution Summary Contract for the Development of an Ulster County Transit Route Optimization Plan.

Motion No. 6
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None. Hearing none, Chair Petit called the question.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 447 Abandonment Of Portion Of Albany Post Road, County Road Number 79, Town Of Gardiner, To Adjoining Property Owner, Authorizing The Chair To Sign Agreement With The Adjoining Property Owner

Resolution Summary

This Resolution authorizes the Chair to sign an agreement with Blue Planet Holdings LLC to abandon .15 acres of County Property in Gardiner.

Motion No. 7

Moved to POSTPONE Resolution No. 447

Motion Made By:

Legislator Nolan

Motion Seconded By:

Chair Petit

Discussion:

Legislator Litts stated that it does not seem fair to give this property that has now been assessed at \$10,000 away to an LLC at no cost. Legislator Nolan stated that there is the potential for there to be costs incurred to the county greater than \$10,000 in the processes of negotiating a sale. Legislator Litts stated that the land is valuable to the potential buyer and that should be the basis for negotiating. Hearing no further discussion Chair Petit called the question in favor if Postponement.

Voting in Favor:

Legislator Nolan

Voting Against:

Legislators Erner, Litts, Petit

Votes in Favor:

1

Votes Against:

3

Disposition:

Motion to POSTPONE Failed

Voting in Favor:

Legislator Nolan

Voting Against:

Legislators Erner, Nolan, Petit

Votes in Favor:

1

Votes Against:

3

Disposition:

Resolution DEFEATED

Resolution No. 476

Amending Capital Project No. 519 – Ulster County Law Enforcement Center Energy Upgrades For Construction Services For Mechanical Refrigeration Project – Amending The 2023 Capital Fund Budget - Department Of Public Works (Buildings & Grounds)

Resolution Summary

Increasing appropriation for Capital Project No. 519 by \$175,000 for Energy Upgrades.

Motion No. 8

Moved Resolution for DISCUSSION

Motion Made By:

Legislator Nolan

Motion Seconded By:

Legislator Erner

Discussion:

None. Hearing none, Chair Petit called the question in favor of the Resolution.

Voting in Favor:

Legislators Erner, Nolan, Petit

Voting Against:

None

Abstentions:

Legislator Litts

Votes in Favor:

3

Votes Against:

0

Disposition:

Resolution ADOPTED

Resolution No. 526 Approving The Execution Of A Contract Amendment For \$31,094.00 Causing The Aggregate Contract Plus Amendment Amount To Be In Excess Of \$50,000.00, Entered Into By The County – Livingston Energy Group, LLC – Department of Environment

Resolution Summary Extending term of agreement to October 31, 2029.

Motion No. 9
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None. Hearing none, Chair Petit called the question.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 527 Approving The Execution Of A Contract For \$317,949.00 Entered Into By The County – GRNE-Nelnet, LLC D/B/A GRNE Solar – Department Of Public Works (Buildings And Grounds)

Resolution Summary Contract for the installation of the photovoltaic system on the roof of the Ulster County Hall of Records.

Motion No. 10
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None. Hearing none, Chair Petit called the question.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 528 Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Shared Services Agreement With The Town Of Gardiner For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)

Resolution Summary Shared agreement with the Town of Gardiner for snowplowing and other services of a 2.59 mile segment of County Road 127.

Resolution No. 529 Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Shared Services Agreement With The

Town Of Hardenburgh For Maintenance Of County Roads –
Department Of Public Works (Highways And Bridges)

Resolution Summary

Shared agreement with the Town of Hardenburgh for snowplowing and other services of a 3.77 mile segment of County Road 102.

Resolution No. 530

Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Shared Services Agreement With The Town Of Shandaken For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)

Resolution Summary

Shared agreement with the Town of Shandaken for snowplowing and other services of a .18 segment of County Road 155 and a 2.9 mile segment of County Road 145.

Motion No. 11

Motion Made By:

Motion Seconded By:

Discussion:

Voting in Favor:

Voting Against:

Votes in Favor:

Votes Against:

Disposition:

Moved to BLOCK Resolutions 528, 529, 530

Legislator Litts

Legislator Erner

None. Hearing none, Chair Petit called the question.

Legislators Erner, Litts, Nolan, Petit

None

4

0

Resolutions BLOCKED

Motion No. 12

Motion Made By:

Motion Seconded By:

Discussion:

Voting in Favor:

Voting Against:

Votes in Favor:

Votes Against:

Disposition:

Moved to APPROVE BLOCKED Resolutions

Legislator Litts

Legislator Nolan

None. Hearing none Chair Petit called the question in favor of approving the Blocked Resolutions.

Legislators Erner, Litts, Nolan, Petit

None

4

0

Resolutions 528, 529, 530 ADOPTED

Resolution No. 531

Approving The Execution Of A Contract Amendment For \$40,000.00, Causing The Aggregate Contract Plus Amendment Amount To Be In Excess Of \$50,000.00, Entered Into By The County – Butler Construction Group, Inc. – Department Of Public Works (Buildings And Grounds)

Resolution Summary

Extending term of agreement to December 31, 2024.

Motion No. 13

Motion Made By:

Moved Resolution for DISCUSSION

Legislator Nolan

Motion Seconded By: Legislator Litts
Discussion: None. Hearing none, Chair Petit called the question.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 532 Approving The Execution Of A Contract Amendment For \$15,488.00, Causing The Aggregate Contract Plus Amendment Amount To Be In Excess Of \$50,000.00, Entered Into By The County – Energy Management Technologies, LLC d/b/a EMTECH – Department Of Public Works (Buildings And Grounds)

Resolution Summary Extending term of agreement to December 31, 2024.

Motion No. 14 **Moved Resolution for DISCUSSION**
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Litts
Discussion: None. Hearing none, Chair Petit called the question.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 533 Approving The Execution Of A Contract Amendment For \$171,370.15, Entered Into By The County – Southeast Mechanical Corporation – Department Of Public Works (Buildings And Grounds)

Resolution Summary Extending the term of agreement to December 31, 2024.

Motion No. 15 **Moved Resolution for DISCUSSION**
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Erner
Discussion: None. Hearing none, Chair Petit called the question.
Voting in Favor: Legislators Erner, Litts, Nolan, Petit
Voting Against: None
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 534 Supporting A Grant Application To The NYS Department Of Transportation To Apply, Accept And Administer Public Transportation Accelerated Transit Capital Grant Funding, And

Authorizing The Ulster County Executive To Execute Any Required Applications Or Agreements To Accept Funding- Department Of Public Transportation (UCAT)

Resolution Summary

Approving the application of the 2023 Accelerated Capital Program through NYSDOT.

Resolution No. 535

Supporting A Grant Application To The Federal Transit Administration To Apply, Accept And Administer 5307 Funding For Software Purchases - Authorizing The Ulster County Executive To Execute Any Required Applications Or Agreements To Accept Funding for Purchase of Upgraded Software – Department of Public Transportation (UCAT)

Resolution Summary

Approving the application to the Rural Transportation Assistance Program through FTA.

Resolution No. 536

Supporting A Grant Application To The Federal Transit Administration To Apply, Accept And Administer 5307 Funds For Preventative Maintenance - Authorizing The Ulster County Executive To Execute Any Required Applications Or Agreements To Accept Funding For Preventative Maintenance Expenses – Department Of Public Transportation (UCAT)

Resolution Summary:

Approving the application to the Rural Transportation Assistance Program through FTA.

Resolution No. 537

Supporting A Grant Application To The Federal Transit Administration To Apply, Accept And Administer 5307 Funds For Project Administration And Preventative Maintenance - Authorizing The Ulster County Executive To Execute Any Required Applications Or Agreements To Accept Funding For Preventative Maintenance And Project Administration Expenses – Department Of Public Transportation (UCAT)

Resolution Summary

Approving the application to the Rural Transportation Assistance Program through FTA.

Resolution No. 538

Supporting A Grant Application To The NYS Department Of Transportation To Apply, Accept And Administer Public Transportation Modernization And Enhancement Funding For Bus & Bus Facilities Capital Investment Program And Authorizing The Ulster County Executive To Execute Any Required Applications Or Agreements To Accept Funding - Department Of Public Transportation (UCAT)

Resolution Summary

Approving the application to the Public Transportation 2023 Modernization and Enhancement Program through DOT.

Motion No. 16

Moved to BLOCK Resolutions 534, 535, 536, 537, 538

Motion Made By:

Legislator Litts

Motion Seconded By:

Legislator Nolan

Discussion:

None. Hearing none, Chair Petit called the question.

Voting in Favor:

Legislators Erner, Litts, Nolan, Petit

Voting Against:

None

Votes in Favor:

4

Votes Against:

0

Disposition:

Resolutions BLOCKED

Motion No. 17

Moved to ADOPT Blocked Resolutions

Motion Made By:

Legislator Nolan

Motion Seconded By:

Legislator Litts

Discussion:

None. Hearing none, Chair Petit called the question on

approving the Blocked Resolutions.

Voting in Favor:

Legislators Erner, Litts, Nolan, Petit

Voting Against:

None

Voting in Favor:

4

Votes Against:

0

Disposition:

BLOCKED RESOLUTIONS ADOPTED

Resolution No. 546

Confirming Appointment Of Member To The Ulster County Electrical Licensing Board

Resolution Summary

Confirming appointment of John M. Hamilton to the Electrical Licensing Board.

Motion No. 18

Moved Resolution for DISCUSSION

Motion Made By:

Legislator Nolan

Motion Seconded By:

Legislator Petit

Discussion:

Legislator Litts said that he had nothing against this individual but feels that the Electrical Licensing board has become too restrictive, and on principle will be voting against all appointments to the board. Hearing no further discussion, Chair Petit called the question in favor of the Resolution.

Voting in Favor:

Legislators Erner, Nolan, Petit

Voting Against:

Legislator Litts

Votes in Favor:

3

Votes Against:

1

Disposition:

Resolution ADOPTED

Resolution No. 551

Setting A Public Hearing On Proposed Local Law No. 11 Of 2023, A Local Law Providing For The Protection Of Vulnerable Road Users Bill Of Rights At Trail Crossings, To Be Held On Tuesday, October 17, 2023 At 7:10 PM

Resolution Summary

Setting a public hearing on Proposed Local Law No. 11 of 2023.

Motion No. 19

Moved Resolution for DISCUSSION

Motion Made By:

Legislator Nolan

Motion Seconded By:

Legislator Erner

Discussion:

Legislator Litts stated this local law likely violates state and federal traffic law and would not be comfortable moving forward until DOT weighed in on any proposed changes. Planner Doyle stated that he interpreted the Proposed Local Law to mean that cyclists could blow through a crossing without stopping. Legislator Nolan stated she would like to see the Trails Advisory Committee and Traffic Safety Board also weigh in.

Motion No. 20

Moved to POSTPONE Resolution No. 551

Motion Made By:

Legislator Erner

Motion Seconded By:

Legislator Nolan

Discussion:

None. Hearing none, Chair Litts called the question in favor of

postponement.

Voting in Favor:

Legislators Erner, Litts, Nolan, Petit

Voting Against:

None

Votes in Favor:

3

Votes Against:

0

Disposition:

Resolution POSTPONED

Resolution No. 426

Establishing The Transit Riders’ And Intermodal Advisory Committee

Resolution Summary

Establishing an Advisory Committee to make recommendations on improvements to the UCAT system.

Motion No. 21

Motion to ADOPT Resolution No. 426 As Amended As Presented

Motion Made By:

Legislator Nolan

Motion Seconded By:

Legislator Erner

Discussion:

Legislator Erner went through the changes made to the Resolution. Legislator Nolan stated they appreciated the changes made and this was now in a place to support the Resolution. Hearing no further discussion, Chair Litts called the question in favor of the Resolution.

Voting in Favor:

Legislators Erner, Litts, Nolan, Petit

Voting Against:

None

Votes in Favor:

4

Votes Against: 0

Disposition: **Resolution ADOPTED**

At 2:33PM Chair Petit had to leave the meeting and appointed Legislator Litts to Chair the remainder of the Committee meeting.

Resolution No. 464 Establishing A Policy To Provide Public Transportation In Relation To County Facilities And Sessions Of The Ulster County Legislature Public-Transportation Level-of-Service Policy

Resolution Summary This Resolution requires UCAT to provide regular fixed-route and paratransit service such that the public may attend all Sessions of the Legislature, guaranteeing that the day's last run on each regular fixed-route bus line in the municipality where the Session took place, as well as that any paratransit riders' return trip, shall depart no earlier than half-an-hour following the end of the Session

Resolution No. 427 Establishing A Policy To Set Minimum Frequencies And To Prevent Gaps On Fixed-Route Public Transportation Services

Resolution Summary Setting a policy that UCAT shall plan to operate all fixed-route bus service continuously throughout their daily service hours without planned service breaks, and at periodic intervals no greater than one hour in between runs in each direction and to all destinations within service areas

Resolution No. 428 Establishing A Policy To Provide Public Transportation In All Municipalities And Census Designated Places

Resolution Summary Setting a policy that Ulster County shall guarantee daily access to public transportation in every city, town, and village, as well as every United States Census Designated Place in the County

Resolution No. 429 Establishing A Policy To Have Express And Local Fixed-Route Public-Transportation Service

Resolution Summary Setting a policy that UCAT shall plan to introduce and operate express bus routes, having a principal purpose to travel between municipalities.

Motion No. 22 **Moved to BLOCK Resolutions 464, 427, 428, 429**

Motion Made By: Legislator Erner

Motion Seconded By: Legislator Nolan

Discussion: None.

Voting in Favor: Legislators Erner, Litts, Nolan

Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: **Resolutions BLOCKED**

Motion No. 23 **Moved to Amend Resolution No. 464 As Amended**
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Erner
Discussion: Legislator Erner said the changes to this Resolution incorporated the ideas from the following Resolutions in the Block and should the motion be adopted he would be withdrawing Resolutions 427, 428, 429. Legislators Litts and Nolan stated that they could not move forward without knowing the full financial implication of this policy.

Motion No. 24 **Moved to Postpone Resolution No. 464**
Motion Made By: Legislator Nolan
Motion Seconded By: Legislator Erner
Discussion: None.
Voting in Favor: Legislators Erner, Litts, Nolan
Voting Against: None
Votes in Favor: 3
Votes Against: 0
Disposition: **Resolution POSTPONED**

Resolutions 426, 427, 428 were withdrawn by the Sponsor.

Adjournment:

Motion Made By: Legislator Erner
Motion Seconded By: Legislator Litts

Votes in Favor: 3
Votes Against: 0

Time: 3:15 PM
Respectfully Submitted: Michael Tierney, Senior Legislative Employee
Minutes Approved: October 11, 2023